

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8816 May Berberich, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on July 18, 1966.

EFFECTIVE DATE OF ORDER -- Sept. 30, 1966

ORDERED:

That the appeal for permission to establish an auto repair shop with no body or fender work at the rear of 419 New York Ave., NW., lot 58, square 514, be granted.

FINDINGS OF FACT:

- (1) Appellant's property is located in a C-3-B District.
- (2) By letter dated June 10, 1966, counsel for the tenant requested that the appeal be continued until the July hearing date. The Board granted the request.
- (3) The owner of some lots adjacent to the subject lot appeared at the June hearing to object to the granting of this appeal.
- (4) It is desired that the property be used for the repair of automobile transmissions.
- (5) The record contains two affidavits relating to the use of the subject property. One of the affidavits is from Fred Thompson, 436 M St., NW., and the other from Raymond R. Ruppert, realtor. Each of the affidavits avers the following:
 - (a) Before approximately 1936, the subject building was used as a stable.
 - (b) After 1936 until approximately 1960, the building was continuously used as a general automotive repair shop and garage.
 - (c) Since August 1960, the subject building has been continuously used by Collins Hagler as an automotive repair garage specializing in automotive transmission repairs.

(6) No body and fender work will be done on the premises.

(7) The Department of Highways and Traffic offers no objection to the granting of this appeal. The Department states that "the operation of the above Automobile Repair Shop in the past has created no traffic problems. No complaints have been received by this Bureau concerning the operation of this repair shop."

(8) The subject property faces a garage that has been in operation since 1924.

(9) There was objection to the granting of this appeal.

OPINION:

We are of the opinion that permission to perform automobile transmission repair in the subject premises will be consistent with current uses of neighboring property and will have no adverse effect upon adjacent and nearby property.

This Order is conditioned upon there being no automobile body or fender repair work done on the premises.